

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE MR.
JUSTICE C. MACLEOD

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THURSDAY, THE 17th
DAY OF FEBRUARY, 2022

B E T W E E N:

(Court Seal)

ZEXI LI, HAPPY GOAT COFFEE COMPANY INC,
7983794 CANADA INC. (c.o.b. as UNION: LOCAL 613)
and GEOFFREY DEVANEY

Plaintiffs/Moving Parties

and

CHRIS BARBER, BENJAMIN DICHTER, TAMARA LICH, PATRICK KING, JAMES
BAUDER, BRIGITTE BELTON, DANIEL BULFORD, DALE ENNS, CHAD EROS, CHRIS
GARRAH, MIRANDA GASIOR, JOE JANSEN, JASON LAFACE, TOM MARAZZO, RYAN
MIHILEWICZ, SEAN TIESSEN, NICHOLAS ST. LOUIS (a.k.a. @NOBODYCARIBOU),
FREEDOM 2022 HUMAN RIGHTS AND FREEDOMS,

JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN DOE 4, JOHN DOE 5,
JOHN DOE 6, JOHN DOE 7, JOHN DOE 8, JOHN DOE 9, JOHN DOE 10,
JOHN DOE 11, JOHN DOE 12, JOHN DOE 13, JOHN DOE 14, JOHN DOE 15,
JOHN DOE 16, JOHN DOE 17, JOHN DOE 18, JOHN DOE 19, JOHN DOE 20,
JOHN DOE 21, JOHN DOE 22, JOHN DOE 23, JOHN DOE 24, JOHN DOE 25,
JOHN DOE 26, JOHN DOE 27, JOHN DOE 28, JOHN DOE 29, JOHN DOE 30,
JOHN DOE 31, JOHN DOE 32, JOHN DOE 33, JOHN DOE 34, JOHN DOE 35,
JOHN DOE 36, JOHN DOE 37, JOHN DOE 38, JOHN DOE 39, JOHN DOE 40,
JOHN DOE 41, JOHN DOE 42, JOHN DOE 43, JOHN DOE 44, JOHN DOE 45,
JOHN DOE 46, JOHN DOE 47, JOHN DOE 48, JOHN DOE 49, JOHN DOE 50,
JOHN DOE 51, JOHN DOE 52, JOHN DOE 53, JOHN DOE 54, JOHN DOE 55,
JOHN DOE 56, JOHN DOE 57, JOHN DOE 58, JOHN DOE 59 JOHN DOE 60,
JANE DOE 1 and JANE DOE 2

Defendants/Responding Parties

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
(MAREVA INJUNCTION)**

NOTICE

If you, the Defendant, disobey this order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized. You are entitled to apply on at least twenty-four (24) hours notice to the Plaintiff, for an order granting you sufficient funds for ordinary living expenses and legal advice and representation.

Any other person who knows of this order and does anything which helps or permits the Defendant to breach the terms of this Order may also be held to be in contempt of court and may be fined or imprisoned.

THIS MOTION, made without notice by the Plaintiffs, Zexi Li, Happy Goat Coffee Company Inc., 7983794 CANADA INC. (c.o.b. UNION: LOCAL 613), on their own behalf and on behalf of the proposed classes as defined in the Fresh as Amended Statement of Claim (approved by an order of even date) for an interim and interlocutory Order in the form of a *Mareva* injunction restraining the corporate Defendant, Freedom 2022 Human Rights and Freedoms (“**Freedom 2022**”), as well as the individual Defendants Patrick King, Tamara Lich, Christopher Garrah, Nicholas St. Louis, and Benjamin Dichter (collectively, the “**Individual Mareva Respondents**” and together with Freedom 2022, the “**Mareva Respondents**”) from dissipating the assets identified in Schedule “A” to this Order and other relief, was heard this day at Ottawa by videoconference.

ON READING the Motion Record of the Plaintiffs dated February 15, 2022 (Mareva Injunction) and the Supplementary Motion Record of the Plaintiffs dated February 16, 2022 (Mareva Injunction), and the fresh as amended factum of the plaintiff (February 16,

2022), and with regard to the materials previously filed in support of an earlier injunction (**“Motion Materials”**);

AND ON HEARING the submissions of counsel for the Plaintiffs;

1. **THIS COURT ORDERS** that this motion is properly returnable today as the motion is brought without notice.

Mareva Injunction

2. **THIS COURT ORDERS** that the Mareva Respondents and their servants, employees, agents, assigns, officers, directors and anyone else acting on their behalf or in conjunction with any of them, and any and all persons with notice of this Order, are restrained from directly or indirectly, by any means whatsoever:

- (a) selling, removing, dissipating, alienating, transferring, assigning, encumbering, or similarly dealing with the assets of the Mareva Respondents listed in Schedule “A”
 - (b) instructing, requesting, counselling, demanding, or encouraging any other person to conduct themselves contrary to paragraph 2(a) above; and
 - (c) facilitating, assisting in, aiding, abetting, or participating in any acts the effect of which is to contrary to paragraph 2(a) above,
- until final disposition of this action or further Order of this Court.

3. **THIS COURT ORDERS** that paragraph 2 applies to all of the assets listed in Schedule “A” to this Order, whether or not they are in the Mareva Respondents’ own names, whether or not they are solely or jointly owned, and whether or not the Mareva Respondents have exclusive control over the asset. For the purpose of this Order, a Mareva Respondent’s assets include any asset which he or she has the power, directly or indirectly, to dispose of or deal with as if it were his or her own. The Mareva Respondent is to be regarded as having such power if a third party holds or controls the assets in accordance with his or her direct or indirect instructions.

4. **THIS COURT ORDERS** that if the total value free of charges or other securities of the assets listed in Schedule “A” to this Order exceeds \$20 million, the Mareva Respondents may sell, remove, dissipate, alienate, transfer, assign, encumber, or similarly deal with them so long as the total unencumbered value of the Mareva Respondent’s frozen assets remains above \$20 million.

Undertaking as to Damages

5. **THIS COURT ORDERS** that the requirement in Rule 40.03 of the *Rules of Civil Procedure* for the moving party to provide an undertaking as to damages potentially arising from the granting and enforcing of this Order is hereby dispensed with.

Ordinary Living Expenses

6. **THIS COURT ORDERS** that any Mareva Respondent may apply for an order, on at least twenty-four (24) hours notice to the Plaintiffs, specifying the amount of funds which the Mareva Respondent requires from the assets listed in Schedule “A” to this Order to spend on ordinary living expenses and legal advice and representation. The Mareva Respondent may also

be provided with access to the assets it requires to spend on ordinary living expenses and legal advance and representation with the written consent of the Plaintiffs.

Disclosure of Information

7. **THIS COURT ORDERS** that each Mareva Respondent shall prepare and provide to the Plaintiffs, within 7 days of the date of service of this Order, a sworn statement describing the nature, value, and location of his or her assets worldwide, whether in his own name or not and whether solely or jointly owned, which are being used, have been earmarked for, or are intended to be used to fund, directly or indirectly, activities associated with the Freedom Convoy protests in or around the City of Ottawa, Ontario, Canada which began on or about January 29, 2022 worldwide, including but not limited to any digital assets (and any associated cryptocurrency wallet addresses).

8. **THIS COURT ORDERS** that each Mareva Respondent shall submit to an examination under oath within 7 days of the delivery by the Mareva Respondent of the aforementioned sworn statement referred to in paragraph 7.

9. **THIS COURT ORDERS** that if the provision of any of the information set out in paragraph 7 is likely to incriminate the Mareva Respondent, he or she may be entitled to refuse to provide it, but is recommended to take legal advice before refusing to provide the information. Wrongful refusal to provide the information referred to in paragraph 7 is contempt of court and may render the Mareva Respondent liable to be imprisoned, fined, or have his or her assets seized.

Intermediaries

10. **THIS COURT ORDERS** that the entities listed in Schedule “B” as well as any banks, financial institutions, money service businesses, fundraising platforms or websites, cryptocurrency exchanges or platforms, or custodians of any cryptocurrency wallets, (collectively, the “**Intermediaries**”) shall, upon being provided with notice of this Order, forthwith freeze and otherwise prevent any removal, dissipation, alienation, transfer, assignment, encumbrance, transaction, or similar dealing with any of the assets identified in Schedule “A” to this Order.

11. **THIS COURT ORDERS** that the Intermediaries shall forthwith disclose and deliver up to the Plaintiffs any and all records held by the Intermediary concerning the Mareva Respondents’ assets, including the existence, nature, value and location of any monies or assets or credit, wherever situate, held on behalf of the Mareva Respondent by the Intermediaries.

Alternative Payment of Security into Court

12. **THIS COURT ORDERS** that this Order will cease to have effect if the Mareva Respondents provide security by collectively paying the sum of \$20 million into Court, and the Accountant of the Superior Court of Justice is hereby directed to accept such payment.

Variation, Discharge or Extension of Order

13. **THIS COURT ORDERS** that anyone served with or notified of this Order may apply to the Court at any time to vary or discharge this Order, on four (4) days’ notice to the Plaintiffs.

14. **THIS COURT ORDERS** that the Plaintiffs shall apply for an extension of this Order on or before February 28, 2022, failing which this Order will terminate.

Service of this Order

15. **THIS COURT ORDERS** that service of this Order and the Motion Materials shall be made on the Mareva Respondents through at least one of the following means, as applicable:

- (a) On the corporate Mareva Respondent, Freedom 2022, by delivering a copy to Alan G. Warnock, counsel for Freedom 2022 as indicated on its corporate filings;
- (b) On the Mareva Respondent, Tamara Lich, by delivering a copy to her legal counsel, Keith Wilson of the Justice Centre for Constitutional Freedoms;
- (c) On the Mareva Respondent, Benjamin Dichter, by delivering a copy to his legal counsel, Keith Wilson of the Justice Centre for Constitutional Freedoms;
- (d) On the Mareva Respondent, Patrick King, by delivering a copy to his email address at patrickking@canada-unity.com and through social media to Mr. King's Facebook page at <https://www.facebook.com/therealpatking>;
- (e) On the Mareva Respondent, Christopher Garrah, by delivering a copy to his email address at [REDACTED] and through social media to Mr. Garrah's Facebook page at www.facebook.com/chris.garrah.31;
- (f) On the Mareva Respondent, Nicholas St. Louis, by delivering a copy through social media to Mr. St. Louis's Twitter account, @NobodyCaribou;

and that such service shall be deemed valid and effective upon the earlier of (a) confirmation of receipt of the Order and Motion Materials or (b) 24 hours from the time the Order and Motion Materials are sent in accordance with paragraphs 18(a) to (f) above.

16. **THIS COURT ORDERS** that this Order is and shall be immediately in effect upon issuance regardless of whether it has been formally entered.

C. MacLeod RSJ

SCHEDULE “A”

Freedom 2022 Human Rights and Freedoms

1. Any and all assets of Freedom 2022 Human Rights and Freedoms, including but not limited to any and all funds donated through GiveSendGo LLC or any of its affiliates or payment processors, where such funds were raised in connection with the “Freedom Convoy 2022” fundraiser and are held in a bank account(s) owned or controlled by or for the benefit of Freedom 2022 Human Rights and Freedoms.

Patrick King

2. Any and all funds held in the bank account of or controlled by Patrick King located at ATB Financial (a.k.a. Alberta Treasury Branches), subject to Mr. King’s right as set out in paragraph 6 of this Order to apply for an order or request the consent of the Plaintiffs to an order specifying the amount of funds which Mr. King requires to spend on ordinary living expenses and legal advice and representation.
3. Any and all funds, digital assets, and or cryptocurrency held in bank accounts and/or digital wallets generated or raised in connection with transactions of Freedom Convoy Token (\$FCT).

Tamara Lich

4. Any and all funds held in the bank account of or controlled by Tamara Lich into which she is receiving etransfers by way of the email address [REDACTED] subject to Ms. Lich’s right as set out in paragraph 6 of this Order to apply for an order or request the consent of the Plaintiffs to an order specifying the amount of funds which Ms. Lich requires to spend on ordinary living expenses and legal advice and representation.

Chris Garrah

5. Any and all funds held in the bank account of or controlled by Chris Garrah into which he is receiving funds donated through GiveSendGo LLC or any of its affiliates or payment processors in connection with the “Adopt-a-Trucker” fundraiser, subject to Mr. Garrah’s right as set out in paragraph 6 of this Order to apply for an order or request the consent of the Plaintiffs to an order specifying the amount of funds which Mr. Garrah requires to spend on ordinary living expenses and legal advice and representation.
6. Any and all funds held in the bank account of or controlled by Chris Garrah into which he is receiving donations by way of the “Adopt-a-Trucker” website or etransfers by way of the email address [REDACTED], subject to Mr. Garrah’s right as set out in paragraph 6 of this Order to apply for an order or request the consent of the

Plaintiffs to an order specifying the amount of funds which Mr. Garrah requires to spend on ordinary living expenses and legal advice and representation.

7. Any and all digital assets or cryptocurrency held in the following digital wallets of or controlled by Chris Garrah:

	No.	Wallet Address
BTC (Bitcoin)	1	[REDACTED]
ETH (Ethereum)	2	[REDACTED]
LTC (Litecoin)	3	lt [REDACTED]
ADA (Cardano)	4	[REDACTED]
XMR (Monero)	5	[REDACTED]
ETC (Ethereum Classic)	6	[REDACTED]

8. Any digital assets or cryptocurrency originating in the digital wallets identified in Item #7 which have been transferred to other digital wallets, as identified through the public ledger.

Benjamin Dichter & Nicholas St. Louis

9. Any and all digital assets or cryptocurrency held in the following digital wallets of or controlled by or on behalf of Benjamin Dichter and/or Nicholas St. Louis:

	No.	Wallet Address
BTC (Bitcoin)	1	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]

[illegible]

10. Any digital assets or cryptocurrency originating in the digital wallets identified in Item #9 which have been transferred to other digital wallets, as identified through the public ledger, including without limitation:

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

SCHEDULE “B”

Financial Institutions

TD Canada Trust

ATB Financial (a.k.a. Alberta Treasury Branches)

Fundraising Platforms/Websites

GoFundMe, Inc.

GoFundMe Ireland, Ltd.

GoFundMe Australia PTY Ltd.

GoFundMe New Zealand Limited

GiveSendGo LLC

Adopt-a-Trucker (

Digital Asset (Cryptocurrency) Platforms/Exchanges

Bull Bitcoin

TallyCoin

Bitbuy

Shakepay

Satoshi Portal

Bylls

Binance Smartchain

PancakeSwap

Nunchuk

Digital Asset (Cryptocurrency) Custodians

Greg Foss

Jeffrey Booth

Benjamin Tyler Perrin (a.k.a “BTC Sessions”)

Francis Pouliot

ZEXI LI et al.
Plaintiffs

-and- CHRIS BARBER et al.
Defendants

Court File No. CV-22-00088514-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT OTTAWA

ORDER

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Acting as Agent to Champ & Associates, Counsel for
the Plaintiffs, Zexi Li, Happy Goat Coffee Company
Inc, 7983794 Canada Inc. (c.o.b. as Union: Local 613)
and Geoffrey Devaney

